Entry Number 1

## UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA **CHARLESTON DIVISION**

Consueloe Dickey,	) C.A. No.:
Plaintiff,	)
v.	) NOTICE OF REMOVAL
The Medical University of South Carolina (MUSC) d/b/a Medical University Hospital	) )
Authority,	)
Defendant.	)

TO: The Honorable Judges of the United States District Court for the District of South Carolina

Defendant Medical University of South Carolina (MUSC) d/b/a Medical University Hospital Authority ("MUSC") hereby files this Notice of Removal to remove this action from the Court of Common Pleas for the Ninth Judicial Circuit for the State of South Carolina to this Court pursuant to 28 U.S.C. §§ 1331 and 1441(c). In support of this Notice, MUSC would show the following:

I.

On November 12, 2024, Plaintiff Consueloe Dickey ("Plaintiff") filed an action in the Court of Common Pleas for the Ninth Judicial Circuit, State of South Carolina, captioned "Consueloe Dickey v. Medical University Hospital Authority" and designated Case No.: 2024-CP-10-05667. Subsequently, on November 20, 2024, Plaintiff filed an Amended Summons and Amended Complaint changing the case caption to "Consueloe Dickey v. Medical University of South Carolina (MUSC) d/b/a Medical University Hospital Authority" and designated Case No.:

2024-CP-10-05667. On December 11, 2024, MUSC was served with the Amended Summons and Amended Complaint.<sup>1</sup> A copy of the Amended Summons and Amended Complaint are attached hereto as Exhibit "A."

II.

The action referred to in Paragraph I is a civil action over which this Court has original and removal jurisdiction under 28 U.S.C. § 1331 and 28 U.S.C. § 1441 (a) and (c). Specifically, Plaintiff's Amended Complaint alleges discrimination by MUSC in violation of the Americans with Disabilities Act, the Age Discrimination in Employment Act, and violation of Section 503 of the Rehabilitation Act.

III.

This Notice of Removal has been filed within thirty (30) days after the earliest date of service of the Amended Summons and Amended Complaint, and the time for filing this Notice of Removal pursuant to 28 U.S.C. § 1446(b) has not expired.

IV.

Written notice of the filing of this Notice of Removal will be promptly served on counsel for the Plaintiff.

V.

A true and correct copy of this Notice of Removal will be filed with the Clerk of Court of Common Pleas for the Ninth Judicial Circuit, State of South Carolina, as provided under 28 U.S.C. § 1446(d).

WHEREFORE, MUSC removes this action to this Court's jurisdiction.

<sup>&</sup>lt;sup>1</sup> Plaintiff did not serve the original Summons and Complaint on MUSC.

s/ Bob J. Conley

Bob J. Conley (FID #6791) CLEVELAND & CONLEY, LLC 171 Church Street, Suite 310 Charleston, South Carolina 29401 Telephone: (843)577-9626 bconley@clevelandlaborlaw.com

ATTORNEY FOR DEFENDANT

December 31, 2024 Charleston, South Carolina

Entry Number 1

## **CERTIFICATE OF SERVICE**

This is to certify that I have this date caused to be served a copy of Defendant Medical University of South Carolina (MUSC) d/b/a Medical University Hospital Authority's Notice of Removal on counsel for Plaintiff by email and depositing same in the United States Mail, First Class postage prepaid, and addressed to:

> Bonnie Travaglio Hunt Hunt Law, LLC P.O. Box 1845 Goose Creek, South Carolina 29445 Telephone: (843) 553-8709

> > bthunt@huntlawllc.com

s/ Bob J. Conley

Bob J. Conley (FID #6791) CLEVELAND & CONLEY, LLC 171 Church Street, Suite 310 Charleston, South Carolina 29401 Telephone: (843) 577-9626 Facsimile: (843) 577-6672

bconley@clevelandlaborlaw.com

ATTORNEY FOR DEFENDANT

December 31, 2024 Charleston, South Carolina